761551N25A - SH-AD-32A

COUNTY OF LOS ANGELES

SHERIFF'S DEPARTMENT

A Tradition of Service

DATE: February 18, 2014
FILE NO:

OFFICE CORRESPONDENCE

FROM: BOBBY D. DENHAM, COMMANDER
NORTH PATROL DIVISION

TO: ALICIA E. AULT, CAPTAIN
INTERNAL AFFAIRS BUREAU

SUBJECT: EXECUTIVE FORCE REVIEW COMMITTEE FINDINGS:

Case Number:	FO2330639
Incident:	Significant Force
Incident Date:	March 10, 2013
Unit:	Century Station
Suspect:	Demitris Baker, MB/05-23-85
Involved Employee:	Deputy [redacted] #[redacted] Deputy Tony Franklin, #504720 Deputy [redacted] #[redacted] Deputy [redacted] #[redacted]
EFRC Date:	February 13, 2014

The Executive Force Review Committee (EFRC) consisting of Commanders Bobby Denham, Stephen Johnson, and Ralph Webb met and reviewed the above case.

FORCE POLICY RELATING TO INCIDENT:

Law enforcement officers are entitled to use the amount of force that is reasonable and necessary to make an arrest, prevent an escape, or overcome resistance.

FINDINGS:

Deputies were working a two-man unit out of Century Sheriff's Station. While they were on routine patrol, a call was dispatched regarding an illegal shooting in the area of 137th Street and Wilmington Avenue in Compton. The area of the shooting bordered Century Station's patrol area.

The information in the call indicated the possible suspect was a male black adult wearing red shorts.

The deputies in the Century Station unit checked the vicinity in an effort to locate any possible suspects or victims. As they proceeded to drive northbound on Wilmington Avenue, they saw a male Black adult (suspect) wearing a grey sweatshirt walking northbound on the east sidewalk of Wilmington Avenue near 122nd Street. The suspect turned and looked in their direction with a startled look on his face. The suspect accelerated his pace, while reaching for his waistband. The suspect's action led one of the deputies to believe he was possibly armed and trying to conceal a weapon or contraband. The deputies contacted the suspect to determine if he was related to or knew any information regarding the shooting.

The driver deputy stopped their radio car about ten feet behind the suspect. The passenger deputy made contact with the suspect and asked him if he heard any gunfire, while the driver deputy conducted a pat down search for weapons. During his conversation with the suspect, the passenger deputy saw the objective signs that the suspect was under the influence of a central nervous system stimulant. The suspect appeared to be nervous, he was breathing heavily and his lower jaw was moving uncontrollably. Additionally, the suspect provided inconsistent information regarding his age (22) and the year of birth (1985). Based on the suspect's behavior, the passenger deputy detained the suspect in the backseat of their radio car to conduct an under the influence of a controlled substance investigation.

The suspect identified himself to the passenger deputy as Deshawn Hilton. The deputy attempted to verify the suspect's identity on his mobile digital computer using the information provided by the suspect. The deputy was unable to verify the suspect's identity. Based on the symptoms displayed by the suspect, the deputy took the suspect into custody for being under the influence of a controlled substance.

Both deputies took a position outside the right rear passenger door. To gain a tactical advantage, they directed the suspect to place his back to the door, his hands behind his back, and place his feet on the rear seat. The suspect complied with their directions. As the driver deputy opened the rear door to place the suspect into handcuffs, the suspect began pushing on the door using his feet and hands to gain leverage. His feet were on the seat and his hands were on the door frame of the car. The deputy pushed on the door in an effort to close it and prevent the suspect from escaping. The passenger deputy sprayed the suspect with his O.C. spray to stop him from forcing the door open. The O.C. spray did not have the desired effect on the suspect.

The suspect was able to open the door wide enough for him to get out and onto his feet. Once he was on his feet, the suspect punched the driver deputy in the face. The deputy was able to grab the suspect and take him down to the ground. Once they were on the ground, the suspect attempted to punch and kick him. The passenger deputy deployed his Taser onto the suspect to try and stop his assault. The Taser did not appear to have any effect on the suspect. The deputy believed at least one of the darts did not penetrate the suspect's sweatshirt. The driver deputy, who was on the ground struggling with the suspect, deployed his O.C. spray, which had no effect on the suspect.

The passenger deputy requested assistance for a deputy involved fight via his handheld radio. The suspect was still attempting to kick at the driver deputy. The passenger deputy punched the suspect seven to ten times in the face with his fist; however, the suspect continued to kick his legs. Back-up deputies arrived at the location and saw the suspect kicking his legs, flailing his arms and trying to get up off the ground. One of the back-up deputies secured the suspect's legs by placing his knees on each of the suspect's legs and held his ankles with his hands. The suspect had his hands concealed under his body. The other back-up deputy was able to pull the suspect's right hand from underneath him and assisted the passenger deputy in securing him in handcuffs.

The suspect was treated at the scene by paramedics from the Los Angeles County Fire Department. He was transported to Saint Francis Hospital in Lynwood were it was determined he sustained a broken left orbital bone.

The EFRC determined the force used against the suspect was within Department policy. The EFRC also determined the tactics used were within Department policy.

RECOMMENDATIONS:

The EFRC recommended the unit commander, Captain Ernest E. Chavez, conduct a tactical debriefing with the involved personnel regarding the unique circumstances of this incident. The tactical debriefing is to include the importance of documenting witnesses and the need to follow-up with the under the influence investigation. Additionally, the EFRC recommended the unit reach out to mental health organizations for additional situational training of unit personnel.

Lastly, the EFRC directed Field Operations Support Services (FOSS) to review Department Newsletter #45 with regard to back seat detentions and determine if this newsletter needs to be revised.

BDD:JER:jer

Table of Contents

IAB CASE NO. FO2330639

I- Supplemental Report Authored by Detective Maria Gonzalez URN: 013-03726-2136-058

J- Criminal History Reports for Suspect Baker (DMV, CCHRS, RAPS)

K- Photos of Deputies Franklin and [redacted] taken by Detective Gonzalez

L- DVD containing Photographs and Video of the Scene, Videotape interview of Suspect Baker, Photos of Suspect Baker, and Taser Report for Model X26 Serial # [redacted] downloaded by Sergeant Marcelo Quintero on March 10, 2013 at 21:43:08 Hours

M- Radio Traffic

MISCELLANEOUS DOCUMENTS

- Signed Witness Admonitions
- Century Station Dayshift and PM Shift in-services for March 10, 2013

Los Angeles County Sheriff's Department

Supervisor's Report on Use of Force

Incident Information

URN: 013-03726-2136-057	Date: 03/10/2013	Time: 1640 HRS	
Location: Wilmington Avenue / 122nd Street		City or Station: Los Angeles	
Bureau/Station/Facility: Century Station / Central Patrol Division		Admin. Investigation: ○ YES ◉ NO	
Type of Force: OC / Taser / Personal Weapons / Resisted Handcuffing			
Incident Category: ○1 ○2 ◉3	Deputy Injury: ◉ YES ○ NO	Suspect Injury ◉ YES ○ NO	
☐ Call ☒ Observation ☐ Detail		☐ Foot Pursuit ☐ Vehicle Pursuit	
IAB Notified: ◉YES ○ NO	Person Notified: Lt. Dominic Valencia	Emp: [redacted]	IAB Roll Out ◉ YES ○ NO

Involved Employee

E 1

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle I.	Rank: Deputy		
Sex: [redacted] M [redacted] F	Race: [redacted]	Height: [redacted]	Weight: [redacted]	Age: [redacted]	Shift: [redacted] EM [redacted] Day [redacted] PM	[redacted] Regular Shift [redacted] OT Shift [redacted] Off Duty
Unit of Assignment: [redacted]			Work Assignment (Unit #, Module, etc.): [redacted]			
Individual Force Used: OC / Personal Weapons			○ Directed ○ Rescue ○ Medical Assist		Individual Category ○1 ◉2 ○3	
☒ Injured ☐ Treated ☐ Admitted	Facility: Health Works, 2499 Wilmington Ave, Cpt				Coroner Case #	

E 2

Employee #: [redacted]	Last Name: Franklin	First Name: Tony	Middle I.	Rank: Deputy		
Sex: ◉ M ○ F	Race: B	Height: 510	Weight: 175	Age: [redacted]	Shift: ○ EM ◉ Day ○ PM	◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Century Station			Work Assignment (Unit #, Module, etc.): 214B			
Individual Force Used: OC / Taser / Personal Weapons			○ Directed ○ Rescue ○ Medical Assist		Individual Category ○1 ○2 ◉3	
☐ Injured ☐ Treated ☐ Admitted	Facility:				Coroner Case #	

E 3

Employee #: [redacted]	Last Name: [redacted]	First Name: [redacted]	Middle I. [redacted]	Rank: Deputy		
Sex: ◉ M ○ F	Race: H	Height: 604	Weight: 275	Age: [redacted]	Shift: ○ EM ○ Day ◉ PM	◉ Regular Shift ○ OT Shift ○ Off Duty
Unit of Assignment: Century Station			Work Assignment (Unit #, Module, etc.): 213E			
Individual Force Used: Resisted Handcuffing			○ Directed ○ Rescue ○ Medical Assist		Individual Category ◉1 ○2 ○3	
☐ Injured ☐ Treated ☐ Admitted	Facility:				Coroner Case #	

☐ Additional Involved Employees

On Duty Supervisor

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Ovalle	Jose		SGT	YES ○ NO ◉	YES ○ NO ◉

Supervisor Completing Investigation

Emp #	Last Name	First Name	Middle I.	Rank	Present	Witness to Incident
[redacted]	Allen	Victor	M.	SGT	YES ○ NO ◉	YES ○ NO ◉

Watch Commander / Supervising Lieutenant

Emp #	Last Name	First Name	Middle I.	Rank
[redacted]	Nathan	Daniel		Lt.

Watch Commander / Supervising Lieutenant's **Signature:** Date Copy Provided to Employee by: [redacted] Emp #:

Ernest Chavez

Unit Commander **(Print Name)** Unit Commander's **Signature:** Emp #: Date

DISCOVERY Use Only

FO# 2330639

☐ PPI REVIEW COMPLETED

Original: Discovery Unit
Copy: Unit Commander

Supervisor's Report on Use of Force
INVOLVED EMPLOYEE - Continuation

013 - 03726 - 2136 - 057

Involved Employee

E 4

Employee #	Last Name	First Name	Middle I.	Rank
[redacted]	[redacted]	[redacted]		Deputy

Sex:	Race:	Height:	Weight:	Age:	Shift:	
(●) M ( ) F	H	601	190	[redacted]	( ) EM ( ) Day (●) PM	(●) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment: Century Station

Work Assignment (Unit #, Module, etc.): 213E

Individual Force Used: Resisted Handcuffing

( ) Directed ( ) Rescue ( ) Medical Assist

Individual Category: (●) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______

Coroner Case #

E__

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
( ) M ( ) F					( ) EM ( ) Day ( ) PM	( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:

Work Assignment (Unit #, Module, etc.):

Individual Force Used:

( ) Directed ( ) Rescue ( ) Medical Assist

Individual Category: ( ) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______

Coroner Case #

E__

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
( ) M ( ) F					( ) EM ( ) Day ( ) PM	( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:

Work Assignment (Unit #, Module, etc.):

Individual Force Used:

( ) Directed ( ) Rescue ( ) Medical Assist

Individual Category: ( ) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______

Coroner Case #

E__

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
( ) M ( ) F					( ) EM ( ) Day ( ) PM	( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:

Work Assignment (Unit #, Module, etc.):

Individual Force Used:

( ) Directed ( ) Rescue ( ) Medical Assist

Individual Category: ( ) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______

Coroner Case #

E__

Employee #	Last Name	First Name	Middle I.	Rank

Sex:	Race:	Height:	Weight:	Age:	Shift:	
( ) M ( ) F					( ) EM ( ) Day ( ) PM	( ) Regular Shift ( ) OT Shift ( ) Off Duty

Unit of Assignment:

Work Assignment (Unit #, Module, etc.):

Individual Force Used:

( ) Directed ( ) Rescue ( ) Medical Assist

Individual Category: ( ) 1 ( ) 2 ( ) 3

☐ Injured ☐ Treated ☐ Admitted Facility: ______

Coroner Case #

Supervisor's Report on Use of Force
SUSPECT INFORMATION

0 1 3 - 0 3 7 2 6 - 2 1 3 6 - 0 5 7

Suspect Information

S 1

Last Name: Baker | First Name: Demitris | Middle Name: | Armed? Select: Not Armed

AKA Last Name: Hillton | First Name: Dashawn | Middle Name:

Sex: (●) Male ( ) Female | Race: B | Age: 27 | Height: 510 | Weight: 180 | D.O.B: 05/23/85 | Phone #1: ( ) H ( ) W ( ) C [redacted] | Phone #2: ( ) H ( ) W ( ) C [redacted]

Street Address: [redacted] | City: [redacted] | State & Zip Code: [redacted]

Booking #: 3490423 | Primary Charge Code: 245(C) PC | Secondary Charge Code: 69 P.C. | [redacted] Criminal History

Treated on Scene? (●) YES ( ) NO | Name: LA County Fire | Unit: Engine 41 | Phone #: (323) 564-6241

Hospital Admission? [X] | Rec'd Treatment At: Saint Francis Medical | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: | Address: 3630 East Imperial Highway, Lynwood | Phone #: (310) 900-8900

Under Influence: (●) YES ( ) NO | Substance: CNS Stimulant | 5150 a factor in force? ( ) YES (●) NO User's guide provides direction on this entry

Suspect Interview

Date: 03/11/13 | Time: 1039 | [X] Audiotape: | [ ] Videotape: | [X] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S /

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | [ ] Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

Suspect Information

S /

Last Name: | First Name: | Middle Name: | Armed? Select:

AKA Last Name: | First Name: | Middle Name:

Sex: ( ) Male ( ) Female | Race: | Age: | Height: | D.O.B. | Weight: | Phone #1: ( ) H ( ) W ( ) C | Phone #2: ( ) H ( ) W ( ) C

Street Address: | City: | State & Zip Code:

Booking #: | Primary Charge Code: | Secondary Charge Code: | [ ] Criminal History

Treated on Scene? ( ) YES ( ) NO | By: | Unit: | Phone #:

Hospital Admission? [ ] | Rec'd Treatment At: | Coroner Case #: | Mental History [ ] User's guide provides direction on this entry

By: | Address: | Phone #:

Under Influence: ( ) YES ( ) NO | Substance: | 5150 a factor in force? ( ) YES ( ) NO User's guide provides direction on this entry

Suspect Interview

Date: | Time: | [ ] Audiotape: | [ ] Videotape: | [ ] Photos of Injuries: | [ ] ADMITS HEARING ANNOUNCEMENTS

[ ] **Additional Suspects Involved**

Supervisor's Report on Use of Force
EMPLOYEE / NON-EMPLOYEE INFORMATION

0 1 3 - 0 3 7 2 6 - 2 1 3 6 - 0 5 7

Employee Witnesses

Emp. #	Last Name	First Name	Middle Name
[redacted]	[redacted]	[redacted]	

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
[redacted]	[redacted]	[redacted] EM [redacted] Day [redacted] PM	[redacted] Regular [redacted] OT [redacted] Off Duty

Emp. #	Last Name	First Name	Middle Name
[redacted]	Wooldridge	Randy	

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
Century Station	214E	◯ EM ◯ Day ◉ PM	◉ Regular ◯ OT ◯ Off Duty

Emp. #	Last Name	First Name	Middle Name

Unit of Assignment:	Work Assignment (Unit #, Module, etc.):	Shift:	
		◯ EM ◯ Day ◯ PM	◯ Regular ◯ OT ◯ Off Duty

Non-Employee Witnesses

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

Last Name	First Name	Middle Name	Age	D.O.B.

Street Address	City	Zip Code	Phone #1	Phone #2

☐ Additional Witness

Supervisor's Report on Use of Force

0 1 3 - 0 3 7 2 6 - 2 1 3 6 - 0 5 7

Method

(AW) Arwen
(BC) Baton: (Control)
(BI) Baton: (Impact)
(BF) Bodily Fluids
(CN) Canine
(CR) Carotid Restraint
(CH) Choke Hold
(CT) Control Holds: (Control Techniques)
(TT) Control Holds: (Team Takedown)
(TD) Control Holds: (Takedown)
(CE) Chemical
(OC) Chemical Agents (OC Spray)
(TG) Chemical Agents (Tear Gas)
(EX) Explosives
(FH) Firearm (Handgun)
(FR) Firearm (Rifle)
(FS) Firearm (Shotgun)
(FO) Firearm (Other)
(FB) Flashbang
(FL) Flashlight
(OE) Other Weapon: Edged
(OV) Other Weapon: Vehicle
(OB) Other Weapon: Blunt Object
(OO) Other Weapon: Other
(PK) Personal Weapon: Feet/Leg: (Kick)
(PS) Personal Weapon: Feet/Leg: (Sweep)
(PH) Personal Weapon (Hand/Arm)
(PP) Personal Weapon (Push)
(PO) Personal Weapon (Other)
(RS) Resistance
(RO) Restraint Device (Other)
(RH) Restraint Device (Handcuffs)
(HB) Restraint Device: Hobble (Legs Only)
(TP) Restraint Device: Hobble (TARP)
(RE) Restraint Device: REACT Belt
(SP) Sap
(SH) Shield
(IR) Less Lethal Impact Round (other)
(SB) Sting Ball
(ST) Stun Bag
(TR) Taser
(UC) Uncooperative
(HR) High Risk

Type of Injury

(AB) Abrasion
(BR) Bruise
(BU) Burn
(CP) Complaint of Pain
(CO) Concussion
(DH) Death
(DI) Dislocation
(DB) Dog Bite
(FR) Fractures
(GS) Gunshot
(HB) Human Bite
(LC) Lacerations
(ND) Nerve Damage
(OD) Organ Damage
(PA) Paralysis
(PW) Puncture Wound
(SD) Soft Tissue Damage
(ST) Sprain/Twists
(UN) Unconscious
(RM) Refused Med Treatment
(NN) NONE

Body Part Involved

(AD) Abdomen
(AK) Ankle
(AR) Arm
(BK) Back
(BT) Buttocks
(CH) Chest
(EL) Elbow
(FA) Face
(FE) Feet
(FI) Fingers
(GE) Genitals
(GR) Groin
(HD) Hands
(HE) Head
(HI) Hip
(IN) Internal
(KN) Knees
(LE) Leg
(NK) Neck
(NO) Nose
(SH) Shoulder
(WR) Wrist

FORCE USED BY		FORCE USED AGAINST		Method (Code)	Type of Injury (Code)	Body Part (Code)
Name	E# or S#	Name	E# or S#			
Baker, Demitrius	S#1	[redacted]	E#1	RS	NN	
Baker, Demitrius	S#1	Franklin, Tony	E#2	RS	NN	
Baker, Demitrius	S#1	[redacted]	E#1	PH	BR	FA
Baker, Demitrius	S#1	[redacted]	E#1	PK	NN	
[redacted]	E#1	Baker, Demitrius	S#1	TD	NN	
[redacted]	E#1	Baker, Demitrius	S#1	CT	NN	
[redacted]	E#1	Baker, Demitrius	S#1	PH	NN	
[redacted]	E#1	Baker, Demitrius	S#1	OC	CP	FA
Franklin, Tony	E#2	Baker, Demitrius	S#1	OC	CP	FA
Franklin, Tony	E#2	Baker, Demitrius	S#1	TR	NN	
Franklin, Tony	E#2	Baker, Demitrius	S#1	PH	FR	FA
Franklin, Tony	E#2	Baker, Demitrius	S#1	RH	NN	
[redacted]	E#3	Baker, Demitrius	S#1	CH	NN	
[redacted]	E#4	Baker, Demitrius	S#1	RH	NN	

COUNTY OF LOS ANGELES
SHERIFF'S DEPARTMENT

INVESTIGATIVE SUMMARY

INCIDENT: **Significant Use of Force**

IAB FILE NUMBER(S): **FO2330639**

URN#: **013-03726-2136-057**

DATE /TIME: **March 10, 2013 / 1640**

LOCATION: **Wilmington Avenue / 122nd Street, Los Angeles**

Opening Statement

On March 10, 2013, Deputies [redacted], Tony Franklin, [redacted] and [redacted] assigned to Century Sheriff's Station used a Taser, a Takedown, and Personal Weapons to take Suspect Demitrius Baker into custody for being under the influence of a controlled substance. Suspect Baker was transported to St. Francis Medical Center in Lynwood and was diagnosed with a fractured left orbital bone as a result of the force used.

Lieutenant Dominic Valencia of Internal Affairs Bureau was notified; however, due to the time lapse between the incident and the medical diagnosis, Internal Affairs Bureau investigators responded to the scene the day after the incident. Attorney Walter Katz of the Office Independent Review was notified but did not respond.

Synopsis

On March 10, 2013, Deputies Tony Franklin and [redacted] were working a two-man unit ([redacted] out of Century Sheriff's Station. While they were on routine patrol, a call was dispatched regarding an illegal shooting in the area of 137th Street and Wilmington Avenue in Compton. The area of the shooting bordered Century Station's patrol area. The information in the call indicated the possible suspect was a male black adult wearing red shorts **(Refer to the incident detail and incident report Exhibit A)**.

Deputies [redacted] and Franklin checked the vicinity in an effort to locate any possible suspects or victims. As they proceeded to drive northbound on Wilmington Avenue, they saw a male Black adult (Suspect Baker) wearing a grey sweatshirt walking northbound on the east sidewalk of Wilmington Avenue near 122nd Street. Suspect Baker turned

and looked in their direction with a startled look on his face. Suspect Baker accelerated his pace, while reaching for his waistband. Suspect Baker's action led Deputy [redacted] to believe he was possibly armed and trying to conceal a weapon or contraband. They contacted Suspect Baker to determine if he was related to or knew any information regarding the shooting.

Deputy [redacted] who was the driver, stopped their radio car about ten feet behind Suspect Baker. Deputy Franklin made contact with Suspect Baker and asked him if he heard any gunfire, while Deputy [redacted] conducted pat down search for weapons. During his conversation with Suspect Baker, Deputy Franklin saw the objective signs that Suspect Baker was under influence of a central nervous system stimulant. Suspect Baker appeared to be nervous, he was breathing heavily and his lower jaw was moving uncontrollably. Additionally, Suspect Baker provided inconsistent information regarding his age (22) and the year of birth (1985). Based on Suspect Baker's behavior, Deputy Franklin detained Suspect Baker in the backseat of their radio to conduct an under the influence of a controlled substance investigation.

Suspect Baker identified himself to Deputy Franklin as Deshawn Hilton. Deputy Franklin attempted to verify Suspect Baker's identity on his mobile digital computer using the information provided by Suspect Baker **(Refer to the unit details at 1637 hours under Exhibit B)**. Deputy Franklin was unable to verify Suspect Baker identity. Based on the symptoms displayed by Suspect Baker, Deputy Franklin took Suspect Baker into custody for being under the influence of a controlled substance.

Deputies Franklin and [redacted] took a position outside the right rear passenger door. To gain a tactical advantage, they directed Suspect Baker to place his back to the door, his hands behind his back and place his feet on the rear seat. Suspect Baker complied with their directions. As Deputy [redacted] opened the rear door to place Suspect Baker into handcuffs, Suspect Baker began pushing on the door using his feet and hands to gain leverage. His feet were on the seat and his hands were on the door frame of the car. Deputy [redacted] pushed on the door in an effort to close it and prevent Suspect Baker from escaping. Deputy Franklin sprayed Suspect Baker with his O.C. spray to stop him from forcing the door open. The O.C. spray did not have the desired effect on Suspect Baker. Deputy Franklin believed the spray was to the side of Suspect Baker's face.

Suspect Baker was able to open the door wide enough for him to get out and onto his feet. Once he was on his feet, Suspect Baker punched Deputy [redacted] in the face. Deputy [redacted] was able to grab Suspect Baker and take him down to the ground. Once they were on the ground, Suspect Baker attempted to punch and kick Deputy [redacted] Deputy Franklin deployed his Taser onto Suspect Baker to try and stop his assault. The Taser did not appear to have any effect on Suspect Baker. Deputy Franklin believed at least one of the darts did not penetrate Suspect Baker's sweatshirt. Deputy [redacted] who was on the ground struggling with Suspect Baker, deployed his O.C spray, which had no effect on Suspect Baker.

Deputy Franklin requested assistance for a deputy involved fight via his handheld radio. Suspect Baker was still attempting to kick at Deputy [redacted] Deputy Franklin punched Suspect Baker seven to ten times in the face with his fist; however, Suspect Baker continued to kick his legs. Deputies [redacted] and [redacted] arrived at the location and saw Suspect Baker kicking his legs, flailing his arms and trying to get up off the ground. Deputy [redacted] secured Suspect Baker's legs by placing his knees on each of Suspect Baker's Legs and held his ankles with his hands. Suspect Baker had his hands concealed under his body. Deputy [redacted] was able to pull Suspect Baker's right hand from underneath him and assisted Deputy Franklin in securing him in handcuffs.

Suspect Baker was treated at the scene by paramedics from the Los Angeles County Fire Department's station 41. He was transported to Saint Francis Hospital in Lynwood were it was determined he sustained a broken left orbital bone (Refer to the supplemental report Exhibit H).

Involved Personnel



[redacted] #[redacted]
Deputy Sheriff
[redacted] - [redacted]

Work History

Date of Employment: [redacted]
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training: [redacted]
Date Assigned to Station: [redacted]
Prior Founded Force: [redacted]

Franklin, Tony T. #[redacted]
B-1 Deputy Sheriff
Century Station - Central Patrol Division

Work History

Date of Employment: 01/05/05
Date Assigned to Patrol: [redacted]
Date Completed Patrol Training: [redacted]
Date Assigned to Station: 10/28/07
Prior Founded Force: [redacted]



[redacted] # [redacted]
Deputy Sheriff
Century Station - Central Patrol Division

Work History

Date of Employment:	03/23/05
Date Assigned to Patrol:	[redacted]
Date Completed Patrol Training:	[redacted]
Date Assigned to Station:	05/18/08
Prior Founded Force:	[redacted]

[redacted] # [redacted]
Deputy Sheriff
Century Station - Central Patrol Division

Work History

Date of Employment:	06/22/05
Date Assigned to Patrol:	[redacted]
Date Completed Patrol Training:	[redacted]
Date Assigned to Station:	05/02/10
Prior Founded Force:	[redacted]

Suspects

Baker, Demitrius MB/27
DOB: 05/23/85
Booking Number: 3490423



Suspect Baker [redacted] **(Exhibit J)** [redacted]

- [redacted]
- [redacted]
- [redacted]
- [redacted]
- [redacted]

Injuries

Deputy [redacted] sustained pain and swelling to his right cheekbone **(refer to the photographs in Exhibit K)**.

Suspect Baker sustained a broken orbital bone to his left eye.

Physical Evidence

None

Investigators Observations

Due to the time lapse between the incident and medical diagnosis, Internal Affairs Bureau investigators responded to the scene the day after the incident. The area where the deputies contacted Suspect Baker, and where the use of force subsequently occurred, was a residential district. The scene was videotaped and photographed by personnel at Century Station **(Refer to the DVD in Exhibit L)**.

Weapons used by Deputy

Deputy Franklin used a Taser, O.C. spray and personal weapons (fists) to take Suspect Baker into custody.

Deputy [redacted] used a take-down, O.C. Spray and personal weapons (fists and knees Strikes) to take Suspect Baker into custody.

Deputy [redacted] used personal weapons (hands and knees) to take Suspect Baker into custody.

Deputy [redacted] used control holds during resistive handcuffing to take Suspect Baker into custody.

Weapon used by Suspect

Suspect Baker used personal weapons – hands, fist, elbows and shod feet.

Property Damage

None

Criminal Investigator

The criminal case was handled by Detective Maria Gonzalez #[redacted] of Century Sheriff Station's Detective Bureau. On March 11, 2013, Detective Gonzalez interview Suspect Baker at St. Francis Hospital. She documented her interview with him in a supplemental report **Exhibit I**.

On April 24, 2013, the Los Angeles County District Attorney's office filed three (3) FELONY counts against Suspect Baker.

- Assault Likely to cause GBI on a Peace Officer, 245(C) PC (1 count)

- Resisting a Peace Officer by Threat or Violence, 69 PC (2 counts)

On May 10, 2013, Suspect Baker pled guilty to one (1) felony count of Resisting a Peace Officer by Threat or Violence, 69 PC. He was sentenced to two years state prison to be served in county jail.

Lighting and Weather Conditions

The incident happened during daylight hours. The weather was clear and sunny.

IAB Interviews

Witnesses

[redacted]

On Monday, March 11, 2013, Ms. [redacted] was interviewed by Sergeants Victor Allen the Los Angeles County Sheriff Department's Internal Affairs Bureau (IAB) by telephone. The interview was digitally recorded and transcribed. For her complete statement, refer to either the recorded statement or the transcripts which are included in this case. The following is a summary of her interview.

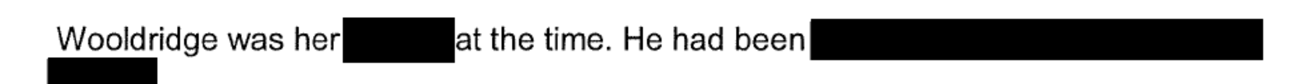
Ms. [redacted] said she is the [redacted] of Suspect Baker. At the time Suspect Baker was contacted by deputies, Ms. [redacted] said she was on the telephone with him. She said Suspect Baker told her police were there and then she said the phone hung-up. She said she did not hear any of the conversation between her son and the deputies. Ms. [redacted] said she tried to call Suspect Baker back, but there was no answer to the phone.

Ms. [redacted] said her [redacted] was homeless, but had been staying at her [redacted] home. She said Suspect Baker is bipolar, schizophrenic and takes medication for depression. When ask if he was violent, Ms. [redacted] said "A little. He's a little unusual." She said he needs to take his medication. Ms. [redacted] said she did not know if suspect Baker had been taking his medication.

Deputy [redacted]

On Tuesday, January 7, 2014, Deputy [redacted] was interviewed by Sergeants Victor Allen and Eric Barron of the Los Angeles County Sheriff Department's Internal Affairs Bureau (IAB). Representing Deputy [redacted] during the interview was Attorney Dale Nowicki of Green and Shinee. The interview was digitally recorded and transcribed. For Deputy [redacted] complete statement, refer to either the recorded statement or the transcripts which are included in this case. Deputy [redacted] authored a supplemental report documenting her actions **(Exhibit G)**. The following is a summary of her IAB interview.

Deputy [redacted] said she had been assigned to Century Sheriff Station for about six years. At the time of this incident she said she was a [redacted] Deputy Randy



Wooldridge was her [redacted] at the time. He had been [redacted]

Deputy [redacted] said she responded to 122nd Street and Wilmington Avenue from Century Station. She heard emergency traffic over the radio regarding a deputy involved fight. It took her less than a minute to arrive at the scene. Once she arrived, Deputy [redacted] said she saw four deputies struggling with the suspect on the ground. She said the deputies were trying to gain control of the suspect's hands and feet, while the suspect was kicking at them.

Deputy [redacted] said there was a crowd of people advancing towards the deputies. She took a position to divert the crowd away the deputies. Deputy [redacted] said she was assisted in handling the crowd by Deputy Wooldridge. She said she did not see any other force used on the suspect.

Deputy Randy Wooldridge

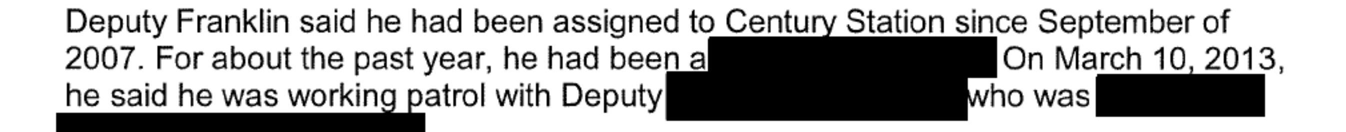
On Tuesday, January 7, 2014, Deputy Randy Wooldridge was interviewed by Sergeants Victor Allen and Eric Barron of the Los Angeles County Sheriff Department's Internal Affairs Bureau (IAB). Deputy Wooldridge elected to be interviewed without representation. The interview was digitally recorded and transcribed. For Deputy Wooldridge's complete statement, refer to either the recorded statement or the transcripts which are included in this case. The following is a summary of his interview.

On March 10, 2013, Deputy Wooldridge said he was in his [redacted] at Century Station. He was in his second week of working with Deputy [redacted] They responded to a deputy involved fight at 122nd Street and Wilmington Avenue. When they arrived, Deputy Wooldridge said he saw that several deputies had Suspect Baker restrained. Suspect Baker was on the ground and the deputies were on top of him restraining him. He said he was not sure if Suspect Baker was in handcuffs at that time but said he was placed in handcuffed shortly after he arrived. He said he did not see any force being used. His view was blocked by the backs of the deputies. Deputy Wooldridge said the situation was soon under control and he was directed to canvass the area for witnesses.

Involved Personnel

Deputy Tony Franklin

On Tuesday, June 18, 2013, Deputy Tony Franklin was interviewed by Sergeants Victor Allen and Mark Reyes of the Los Angeles County Sheriff Department's Internal Affairs Bureau (IAB). Representing Deputy Franklin during the interview was Attorney Erika Gurrola of Green and Shinee. The interview was digitally recorded and transcribed. For Deputy Franklin's complete statement, refer to either the recorded statement or the transcripts which are included in this case. Deputy Franklin authored an incident report documenting his actions (**Exhibit C**). The following is a summary of his IAB interview.


Deputy Franklin said he had been assigned to Century Station since September of 2007. For about the past year, he had been a [redacted] On March 10, 2013, he said he was working patrol with Deputy [redacted] who was [redacted]

Deputy Franklin said they had received a crime broadcast over Sheriff Radio regarding a shooting that occurred in the area of 132nd Street [137th Street] and Wilmington Avenue **(Exhibit M)**. The suspect described in the broadcast was a male Black, without any further description. As they drove northbound on Wilmington Avenue at 122nd Street, Deputy Franklin said they saw a male Black on the east side of Wilmington Avenue walking northbound. This male was later identified as Demetrius Baker.

Deputy Franklin said Suspect Baker looked in their direction and appeared to be nervous. He was wearing a bulky sweatshirt even though it was hot day. As he walked, Deputy Franklin said Suspect Baker reached toward the front of his waistband and began looking to his right and left over his shoulders. Deputy Franklin said from his experience working this area, the action of Suspect Baker indicated he was about to run from them. He said he relayed this information to Deputy [redacted] who was driving their patrol vehicle. Deputy Franklin said they discussed whether Suspect Baker could be related to the shooting in the crime broadcast. He said it had been about ten minutes since the broadcast and Suspect Baker was about ten blocks away. He said they were not sure if he could have made it that far in that time frame; however, he said it was possible Suspect Baker received a ride.

Deputy Franklin said Deputy [redacted] made the decision to contact Suspect Baker. He said Deputy [redacted] parked their radio car in the street just to the south of Suspect Baker. They both exited the car and made contact with him on the sidewalk. Deputy Franklin said Suspect Baker appeared to be nervous, he was breathing heavily and his lower jaw was moving uncontrollably. He said Deputy [redacted] conducted a pat down search for weapon on Suspect Baker while he asked Suspect Baker questions about his name, birthday and age. Deputy Franklin said Suspect Baker identified himself as Deshawn Hilton, born in May of 1985 and was twenty-two years old. He said because Suspect Baker's year of birth and age did not coincide he knew Suspect Baker was not being truthful.

Deputy Franklin said at that point he was not sure if Suspect Baker was under the influence, but based on his behavior he felt they should detain him in their backseat. Once the pat down search was completed, Deputy Franklin said they placed Suspect Baker in the backseat of their radio car. While Deputy [redacted] provided security, Deputy Franklin said he conducted a records check via their Mobile Digital Computer (MDC). He said he did not receive a return for Deshawn Hilton **(refer to the Unit Details in Exhibit B).**

Deputy Franklin said he told Suspect Baker he was lying about his name. Suspect Baker began to cry and said, "Fuck, I don't want to go to jail for this shit!" Deputy

Franklin said he gave Suspect Baker another opportunity to provide his true name; however, Suspect Baker just kept repeating the name Deshawn. Due to the fact they did not recover a weapon from Suspect Baker, Deputy Franklin said he no longer believed he was involved in the shooting. Nevertheless, because Suspect Baker was not being truthful about his name he felt he was hiding his identity for another reason, couple with him displaying symptoms of being under the influence of a controlled substance, Deputy Franklin decided to arrest him.

> **IAB Note:** Suspect Baker was not provided with an opportunity to provide a urine sample to prove or disprove the presence of drug in his system. Once force was used on him by Deputies Franklin and [redacted] and Suspect Baker was taken into custody, they did not have any further contact with him. Additionally, directions were not given to the assisting deputies to have this test conducted (refer to pages 16-17 of Deputy Franklin's transcripts).

Deputy Franklin said he told Deputy [redacted] to place Suspect Baker into handcuffs. He said they had Suspect Baker place his feet on the backseat of the patrol car with his back toward them. Deputy Franklin said they did this for their safety, which he complied. As Deputy [redacted] opened the rear door to place handcuffs on Suspect Baker, Deputy Franklin said Suspect Baker quickly bent his knees and pushed backwards trying to push the door open. Deputy [redacted] was trying to force the door closed as Suspect Baker was trying to force the door open. Deputy Franklin said Suspect Baker had one foot on the backseat, the other on the floor and he was using his hands on the frame of the door as he was forcing it open. He said the door was opened about six to eight inches. Deputy Franklin said he ordered Suspect Baker to stop pushing the door but he ignored the order. He said he sprayed Suspect Baker with his pepper spray, but he did not believe it was effective because Suspect Baker's face was away from them. Deputy Franklin said the spray was hitting Suspect Baker on the right side of his face. Both he and Deputy [redacted] were still trying to close the door. Deputy [redacted] was giving commands to Suspect Baker to stop pushing on the door. Deputy Franklin said Suspect Baker was able to wedge his body out of the door. He said Suspect Baker turned and punched Deputy [redacted] on the right side of his face in the cheek bone area.

Deputy Franklin said Deputy [redacted] grabbed one of Suspect Baker's arms, placed his other hand on his back shoulder area and guided him down to the ground. Once they were on the ground, Deputy Franklin said he put out over the radio a deputy involved fight and their location. Deputy Franklin said Suspect Baker's back was to him. He could see Suspect Baker was punching and kicking at Deputy [redacted] Deputy Franklin said he deployed his Taser on Suspect Baker, but due his bulky sweatshirt one dart did not penetrate.

Deputy Franklin said he did not elect to use the drive stun mode with the Taser. From his training and experience, he felt the drive stun mode would not stop Suspect Baker from punching or kicking Deputy [redacted] due to the small area that would be impacted by the Taser (refer to page 15 of Deputy Franklin's transcripts) .

Deputy Franklin said he attempted to spray Suspect Baker once more with his pepper spray, but again it was not effective. He said Suspect Baker continued to kick and extend his arms in the direction of Deputy [redacted] Deputy Franklin said he punched Suspect Baker seven to ten times in the face in an effort to stop his assault on Deputy [redacted] After he punched Suspect Baker, Deputy Franklin said Suspect Baker slowed his assault but was still kicking at Deputy [redacted] He was yelling that he did not want to go to jail. Deputy Franklin said Deputy [redacted] kneed Suspect Baker in the shoulder area three to five times causing Suspect Baker to stop fighting.

Deputy Franklin said Suspect Baker had his hands underneath him and he did not willing give them his arms. He said he had to pull his arms out from underneath him to place him into handcuffs.

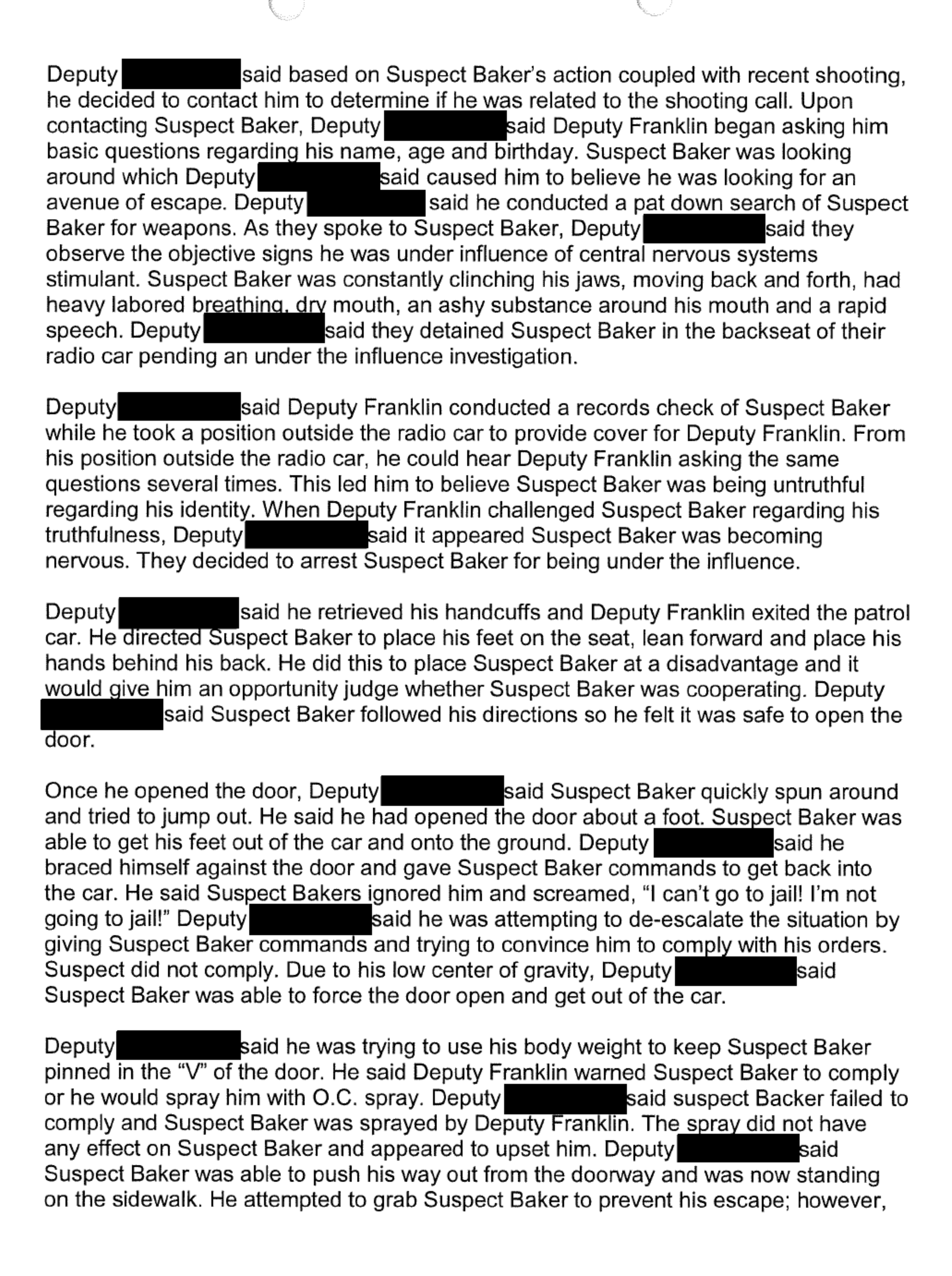
Deputy [redacted]

On Tuesday, June 18, 2013, Deputy [redacted] was interviewed by Sergeants Victor Allen and Mark Reyes of the Los Angeles County Sheriff Department's Internal Affairs Bureau (IAB). Representing Deputy Franklin during the interview was Attorney Erika Gurrola of Green and Shinee. The interview was digitally recorded and transcribed. For Deputy [redacted]s complete statement, refer to either the recorded statement or the transcripts which are included in this case. Deputy [redacted] authored an incident report documenting his actions **(Exhibit D)**. The following is a summary of his IAB interview.

Deputy [redacted] said he had been assigned to Century Station since November of 2012. On March 10, 2013, he said he was on [redacted] with Deputy Franklin as his [redacted] He said he had worked with Deputy Franklin for two to three months.

Deputy [redacted] said they were working routine patrol in the unincorporated area of Willowbrook out of Century Sheriff Station. Deputy [redacted] said he was the driver and Deputy Franklin was the bookman. They were at the end of their ten hour shift when they responded to an illegal shooting call near the border of Century and Compton Stations. He said deputies from both stations responded. At the scene, Deputy [redacted] said they saw shell casing which confirmed that a shooting had occurred. He said they checked the vicinity for any possible suspects or witnesses.

In the vicinity of 121st or 122nd street, Deputy [redacted] said his attention was drawn to a male Black (Suspect Baker) wearing a hooded sweatshirt who was about 10 to 15 yards away. Suspect Baker was walking northbound on the east sidewalk of Wilmington Avenue with the hood pulled over his head. Deputy [redacted] said Suspect Baker turned and looked in their direction with a startled look on his face. Suspect Baker accelerated his pace, while reaching for his waistband. Deputy [redacted] said Suspect Baker's action led him to believe he was possibly armed and trying to conceal a weapon or contraband (Refer to Deputy [redacted]s transcripts, pgs. 3-4)



Deputy [redacted] said based on Suspect Baker's action coupled with recent shooting, he decided to contact him to determine if he was related to the shooting call. Upon contacting Suspect Baker, Deputy [redacted] said Deputy Franklin began asking him basic questions regarding his name, age and birthday. Suspect Baker was looking around which Deputy [redacted] said caused him to believe he was looking for an avenue of escape. Deputy [redacted] said he conducted a pat down search of Suspect Baker for weapons. As they spoke to Suspect Baker, Deputy [redacted] said they observe the objective signs he was under influence of central nervous systems stimulant. Suspect Baker was constantly clinching his jaws, moving back and forth, had heavy labored breathing, dry mouth, an ashy substance around his mouth and a rapid speech. Deputy [redacted] said they detained Suspect Baker in the backseat of their radio car pending an under the influence investigation.

Deputy [redacted] said Deputy Franklin conducted a records check of Suspect Baker while he took a position outside the radio car to provide cover for Deputy Franklin. From his position outside the radio car, he could hear Deputy Franklin asking the same questions several times. This led him to believe Suspect Baker was being untruthful regarding his identity. When Deputy Franklin challenged Suspect Baker regarding his truthfulness, Deputy [redacted] said it appeared Suspect Baker was becoming nervous. They decided to arrest Suspect Baker for being under the influence.

Deputy [redacted] said he retrieved his handcuffs and Deputy Franklin exited the patrol car. He directed Suspect Baker to place his feet on the seat, lean forward and place his hands behind his back. He did this to place Suspect Baker at a disadvantage and it would give him an opportunity judge whether Suspect Baker was cooperating. Deputy [redacted] said Suspect Baker followed his directions so he felt it was safe to open the door.

Once he opened the door, Deputy [redacted] said Suspect Baker quickly spun around and tried to jump out. He said he had opened the door about a foot. Suspect Baker was able to get his feet out of the car and onto the ground. Deputy [redacted] said he braced himself against the door and gave Suspect Baker commands to get back into the car. He said Suspect Bakers ignored him and screamed, "I can't go to jail! I'm not going to jail!" Deputy [redacted] said he was attempting to de-escalate the situation by giving Suspect Baker commands and trying to convince him to comply with his orders. Suspect did not comply. Due to his low center of gravity, Deputy [redacted] said Suspect Baker was able to force the door open and get out of the car.

Deputy [redacted] said he was trying to use his body weight to keep Suspect Baker pinned in the "V" of the door. He said Deputy Franklin warned Suspect Baker to comply or he would spray him with O.C. spray. Deputy [redacted] said suspect Backer failed to comply and Suspect Baker was sprayed by Deputy Franklin. The spray did not have any effect on Suspect Baker and appeared to upset him. Deputy [redacted] said Suspect Baker was able to push his way out from the doorway and was now standing on the sidewalk. He attempted to grab Suspect Baker to prevent his escape; however,

Suspect Baker punched him on his right cheek. Deputy [redacted] said he was stunned by the blow and temporarily disengaged with Suspect Baker.

Deputy [redacted] said he was able to get his footing and grabbed onto Suspect Baker. He was attempting to take him down to the ground, but Suspect Baker was flailing his arms and swinging at him. He said he was able to grab Suspect Baker's sweatshirt and take him down to the ground. His goal was to get him in a prone position; however, Suspect Baker landed in a seated position. Deputy Franklin told him he was going to apply the Taser, so Deputy [redacted] disengaged from Suspect Baker. After the Taser was applied, Deputy [redacted] said Suspect Baker screamed, but continued fighting.

Deputy [redacted] said Suspect Baker was now trying to standup. Deputy [redacted] grabbed Suspect Baker from behind and used his body weight to take him back to the ground. Suspect Baker was lying on his stomach with Deputy [redacted] on top of him. He said Suspect Baker was attempting to push himself up, rocking himself from side to side and throwing elbows in his direction. Deputy [redacted] said he did not want to allow Suspect Baker to get back on his feet. He punched Suspect Baker in the ribs three to five times, but the punches were ineffective. Deputy [redacted] believed it was due to the close proximity he was to Suspect Baker.

Deputy [redacted] said he heard Deputy Franklin put out over the radio that they were involved in a fight. As Suspect Baker continued to rock back and forth to try to get Deputy [redacted] off of him, Deputy [redacted] said he retrieved his O.C. spray and sprayed Suspect Baker. Deputy [redacted] said the O.C. spray did not affect Suspect Baker. However, they were both contaminated by the spray. Deputy Franklin told him he was going to spray Suspect Baker and Deputy [redacted] said he turned his head to avoid being sprayed. Suspect Baker let out a scream and Deputy [redacted] believed he was affected by the spray. Deputy [redacted] said he heard additional units arriving at the scene and he held onto Suspect Baker until they arrived. He moved off of Suspect [redacted] to allow the deputies to place him into handcuffs.

Deputy [redacted]

On Tuesday, January 7, 2014, Deputy [redacted] was interviewed by Sergeants Victor Allen and Eric Barron of the Los Angeles County Sheriff Department's Internal Affairs Bureau (IAB). Representing Deputy [redacted] during the interview was Attorney Dale Nowicki of Green and Shinee. The interview was digitally recorded and transcribed. For Deputy [redacted] complete statement, refer to either the recorded statement or the transcripts which are included in this case. Deputy [redacted] authored an incident report documenting his actions **(Exhibit E)**. The following is a summary of his IAB interview.

Deputy [redacted] said he had been on the Sheriff's Department for nine years. He had been assigned to patrol at Century Station for the last six years. On March 10, 2013, Deputy [redacted] said he arrived at 122nd Street and Wilmington Avenue in response to

deputy involved fight. Once he arrived on scene, Deputy [redacted] said he saw Deputies [redacted] and Franklin attempting to control Suspect Baker. It appeared to him that Suspect Baker was under the rear portion of their patrol car and Deputies [redacted] and Franklin were trying to control his extremities.

Deputy [redacted] said Suspect Baker was lying on the ground with his arms underneath his body and was kicking his legs. He said he went over and grabbed Suspect Baker's ankles in each hand and placed a knee on each of his hamstrings. He said Suspect Baker was then placed into handcuffs. He believed it was his partner, Deputy [redacted] who placed Suspect Baker into handcuffs.

Deputy [redacted]

On Friday, January 10, 2014, Deputy [redacted] was interviewed by Sergeants Victor Allen of the Los Angeles County Sheriff Department's Internal Affairs Bureau (IAB). Representing Deputy [redacted] during the interview was Attorney Dale Nowicki of Green and Shinee. The interview was digitally recorded and transcribed. For Deputy [redacted]s complete statement, refer to either the recorded statement or the transcripts which are included in this case. Deputy [redacted] authored an incident report documenting his actions **(Exhibit F)**. The following is a summary of his IAB interview.

Deputy [redacted] said he had been on the Sheriff's Department for nine years. He had been assigned to Century Station since 2010. On March 10, 2013, he said he heard radio traffic from Deputy Franklin of a deputy involved fight. When he arrived, he saw Deputies [redacted] and Franklin leaning over Suspect Baker. It appeared they were trying to control him. Suspect Baker was flailing his body and appeared to be trying to get up. Deputies were giving Suspect Baker commands to stop fighting

Deputy [redacted] said Suspect Baker was resisting their efforts to handcuff him by concealing his hands under his body. Deputy [redacted] he was able to grab the left arm of Suspect Baker. He said someone else had grabbed Suspect Baker's right arm and they were able to place Suspect Baker in handcuffs.

Demitrius Baker

On Monday, March 11, 2013, Sergeant Victor Allen and Patrick Mannion interviewed Suspect Demitrius Baker at St. Francis Hospital in Lynwood. The interview was digitally recorded and transcribed. For Suspect Baker's complete statement, refer to either the recorded statement or the transcripts which are included in this case. The following is a summary of his interview.

Suspect Baker said he was walking on the east side of Wilmington Avenue headed to a friend's house. As he walked, he said he was talking to his [redacted] (Witness [redacted]) on his cell phone. He said deputies pulled him over for no reason and began to harass him. He said he was asked if he heard a shooting by the deputies. When he told them, "No", he said the deputies wanted to search him.

Suspect Baker said he told the deputies he did not have time to be search he was going somewhere. He said he had not done anything wrong and felt the deputies were harassing him. Suspect Baker said he was searched and placed in the back of the patrol car. He said the deputies were asking him questions about where he lived. He said he told them he was homeless and they accused him of lying.

Suspect Baker said he was told to get out of the car and place his hands behind his back. When he did this, Suspect Baker said the deputies used the Taser on him; he was pepper sprayed and they beat him for no reason. He said he felt a shock from the Taser. Suspect Baker said he did not resist the deputies. Suspect Baker denied forcing the door open to the radio car or assaulting the deputies.

> **IAB Note:** Suspect Baker was interviewed on videotape by Lieutenant Todd Deeds of Century Station **(Exhibit L)**. The interview did not reveal any additional information regarding the Use of Force.